BEST COPY
AVAILABLE

MONTANA LEGISLATIVE HISTORY

Chapter ✓ 19 ✓

Bill H _____ S 527 Original bill & history ✓ C

H. Committee on State Admin.		S. Committee on Bus & Labor	
Hearing Date(s) _____	___C	Hearing Date(s) _____	___C
3/19	✓ C	2/25	✓ C
_____	___C	_____	___C
_____	___C	_____	___C
Date Out 3/19	✓ C	2/25	✓

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

	RETURNED TO SENATE WITH AMENDMENTS		
4/07	2ND READING HOUSE AMENDMENTS CONCURRED ON VOICE VOTE	49	0
4/08	3RD READING PASSED AS AMENDED BY HOUSE	46	3
4/08	SENT TO ENROLLING		
4/09	RETURNED FROM ENROLLING		
4/09	SIGNED BY PRESIDENT		
4/10	SIGNED BY SPEAKER		
4/10	FILED WITH SECRETARY OF STATE		

SJ 25 INTRODUCED BY BOHLINGER *LC2168 DRAFTER: MENZIES*

URGE ACCEPTANCE OF TAIWAN IN WORLD HEALTH ORGANIZATION

BY REQUEST OF SENATE LOCAL GOVERNMENT STANDING COMMITTEE

2/22	INTRODUCED		
2/22	REFERRED TO LOCAL GOVERNMENT		
2/25	HEARING		
2/26	COMMITTEE EXECUTIVE ACTION—BILL PASSED	11	0
2/26	COMMITTEE REPORT—BILL PASSED		
2/27	2ND READING PASSED ON VOICE VOTE	48	1
2/28	3RD READING PASSED	46	4
	TRANSMITTED TO HOUSE		
3/06	REFERRED TO LOCAL GOVERNMENT		
3/13	HEARING		
3/14	COMMITTEE EXECUTIVE ACTION—BILL CONCURRED	15	1
3/14	COMMITTEE REPORT—BILL CONCURRED		
3/18	2ND READING CONCURRED	82	17
3/19	3RD READING CONCURRED	85	15
	RETURNED TO SENATE		
3/20	SENT TO ENROLLING		
3/21	RETURNED FROM ENROLLING		
3/27	SIGNED BY PRESIDENT		
3/28	SIGNED BY SPEAKER		
3/31	FILED WITH SECRETARY OF STATE		

SJ 26 INTRODUCED BY BOHLINGER *LC2167 DRAFTER: MENZIES*

URGE JUST COMPENSATION FOR IMPACT OF FED. LAND OWNERSHIP ON PUBLIC EDUC. FUNDING

BY REQUEST OF SENATE LOCAL GOVERNMENT STANDING COMMITTEE

2/22	INTRODUCED		
2/22	REFERRED TO LOCAL GOVERNMENT		
2/25	HEARING		
2/26	COMMITTEE EXECUTIVE ACTION—BILL PASSED	11	0
2/26	COMMITTEE REPORT—BILL PASSED		
2/27	2ND READING PASSED ON VOICE VOTE	50	0
2/28	3RD READING PASSED	50	0
	TRANSMITTED TO HOUSE		
3/06	REFERRED TO LOCAL GOVERNMENT		
3/13	HEARING		
3/19	COMMITTEE EXECUTIVE ACTION—BILL CONCURRED	8	7
3/19	COMMITTEE REPORT—BILL CONCURRED		
4/04	2ND READING CONCURRED	76	23
4/05	3RD READING CONCURRED	73	25
	RETURNED TO SENATE		
4/08	SENT TO ENROLLING		
4/09	RETURNED FROM ENROLLING		
4/09	SIGNED BY PRESIDENT		
4/10	SIGNED BY SPEAKER		
4/10	FILED WITH SECRETARY OF STATE		

SJ 27 INTRODUCED BY R. JOHNSON *LC2166 DRAFTER: MCCLURE*

URGE CONTINUED OPERATION OF BAIR MUSEUM

BY REQUEST OF SENATE BUSINESS AND LABOR STANDING COMMITTEE

2/22	INTRODUCED		
2/22	REFERRED TO BUSINESS AND LABOR		
2/25	HEARING		

2/26	COMMITTEE EXECUTIVE ACTION—BILL PASSED	9	0
2/26	COMMITTEE REPORT—BILL PASSED		
2/27	2ND READING PASSED	49	0
2/28	3RD READING PASSED	49	1
	TRANSMITTED TO HOUSE		
3/06	REFERRED TO STATE ADMINISTRATION		
3/19	HEARING		
3/20	COMMITTEE EXECUTIVE ACTION—BILL CONCURRED	19	0
3/20	COMMITTEE REPORT—BILL CONCURRED		
4/04	2ND READING CONCURRED	91	7
4/05	3RD READING CONCURRED	85	13
	RETURNED TO SENATE		
4/08	SENT TO ENROLLING		
4/09	RETURNED FROM ENROLLING		
4/09	SIGNED BY PRESIDENT		
4/10	SIGNED BY SPEAKER		
4/10	FILED WITH SECRETARY OF STATE		

SJ 28 INTRODUCED BY BOHLINGER *LC1668 DRAFTER: C. ERICKSON*

INTERIM STUDY ON SCHOOL DISTRICT ORGANIZATION

12/06	FISCAL NOTE NEEDED		
3/20	INTRODUCED		
3/20	REFERRED TO EDUCATION AND CULTURAL RESOURCES		
3/26	HEARING		
3/27	COMMITTEE EXECUTIVE ACTION—BILL PASSED	6	4
3/27	COMMITTEE REPORT—BILL PASSED		
4/11	2ND READING PASS MOTION FAILED	24	26
4/11	2ND READING INDEFINITELY POSTPONED	33	17
	DIED IN PROCESS		

SJ 29 INTRODUCED BY TOOLE *LC1443 DRAFTER: KURTZ*

STUDY APPRAISAL OF CENTRALLY ASSESSED PROPERTY

3/31	INTRODUCED		
3/31	REFERRED TO LEGISLATIVE ADMINISTRATION		
3/31	REREFERRED TO TAXATION		
4/01	HEARING		
4/01	COMMITTEE EXECUTIVE ACTION—BILL PASSED	7	4
4/01	COMMITTEE REPORT—BILL PASSED		
4/11	2ND READING PASSED	37	11
4/12	3RD READING PASSED	38	11
	TRANSMITTED TO HOUSE		
4/15	REFERRED TO TAXATION		
4/17	HEARING		
4/17	COMMITTEE EXECUTIVE ACTION—BILL CONCURRED	16	2
4/17	COMMITTEE REPORT—BILL CONCURRED		
4/23	2ND READING CONCURRED	84	15
4/24	3RD READING CONCURRED	75	25
	RETURNED TO SENATE		
4/25	SENT TO ENROLLING		
4/25	RETURNED FROM ENROLLING		
4/26	SIGNED BY PRESIDENT		
4/28	SIGNED BY SPEAKER		
4/29	FILED WITH SECRETARY OF STATE		

SJ 30 INTRODUCED BY TAYLOR *LC2194 DRAFTER: LEE EVANS*

STUDY ISSUES RELATED TO GENETICALLY ENGINEERED WHEAT

4/02	INTRODUCED		
4/02	REFERRED TO AGRICULTURE, LIVESTOCK AND IRRIGATION		
4/09	HEARING		
4/15	COMMITTEE EXECUTIVE ACTION—BILL PASSED AS AMENDED	4	2
4/15	COMMITTEE REPORT—BILL PASSED AS AMENDED		
	DIED IN PROCESS		

SJ 31 INTRODUCED BY TASH *LC2196 DRAFTER: FOX*

INTERIM STUDY OF JUVENILE PROBATION AND JUVENILE JUSTICE SYSTEM

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE BOARD OF DIRECTORS OF THE CHARLES M. BAIR FAMILY TRUST TO KEEP THE CHARLES M. BAIR FAMILY MUSEUM OPEN AND OPERATIONAL AT ITS CURRENT LOCATION IN THE BAIR FAMILY HOME IN MARTINSDALE IN MEAGHER COUNTY.

WHEREAS, the Charles M. Bair Family Museum is a historical treasure to the State of Montana; and

WHEREAS, maintaining the Bair family collection at its original location in the Charles M. Bair Family Museum in Martinsdale, Montana, is vital in order to maintain the value and integrity of the collection; and

WHEREAS, because the Charles M. Bair Family Museum is a major resource, extending culturally and economically beyond Meagher and Wheatland Counties and the State of Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Charles M. Bair Family Trust be urged to keep the Charles M. Bair Family Museum open and operational at its current location at the Bair family home in the city of Martinsdale in Meagher County for the historical benefit and enjoyment of all citizens of the State of Montana, the nation, and the world.

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to the board of directors of the Charles M. Bair Family Trust.

- END -

MINUTES

MONTANA SENATE
58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN DALE MAHLUM**, on February 25, 2003 at 8:04 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Dale Mahlum, Chairman (R)
Sen. Mike Sprague, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Vicki Cocchiarella (D)
Sen. Kelly Gebhardt (R)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Keenan (R)
Sen. Sam Kitzenberg (R)
Sen. Glenn Roush (D)
Sen. Don Ryan (D)
Sen. Carolyn Squires (D)

Members Excused: Sen. Fred Thomas (R)

Members Absent: None.

Staff Present: Sherrie Handel, Committee Secretary
Eddye McClure, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: SJR 27, 2/22/2003; SB 457, 2/21/2003; SB 430, 2/17/2003; SB 391, 2/13/2003; SB 450, 2/20/2003; SB 458, 2/22/2003

Executive Action: SB 415; SB 402; SB 349; SB 341; SJR 27; SB 444; SB 457; SB 450; SB 391; SB 430, SB 458

{Tape: 1; Side: A}

EXECUTIVE ACTION ON SB 341

{Tape: 1; Side: A; Approx. Time Counter: 20 - 27.6}
{Tape: 1; Side: B; Approx. Time Counter: 4.7 - 17.4}

Motion: SEN. COCCHIARELLA moved that SB 341 DO PASS.

Discussion:

Motion: SEN. COCCHIARELLA moved SB 040201.AEM EXHIBIT(bus42a03).

SEN. COCCHIARELLA explained the amendments are a compromise between the parties.

Vote: Motion carried 11-0.

SEN. RYAN distributed a proposed amendment from Greg Van Horssen, State Farm Insurance, EXHIBIT(bus42a04).

Motion/Vote: SEN. RYAN moved that SB 341 DO PASS AS AMENDED. Motion carried 11-0.

HEARING ON SJR 27

{Tape: 1; Side: B; Approx. Time Counter: 18.2 - 20}

Sponsor: SENATOR ROYAL JOHNSON

Proponents: Arnie Olsen, Director, Montana Historical Society
Jamie Doggett, County Commissioner, Meagher County
Mike Sprague, Senator, SD 6

Opponents: NONE

Informational Witnesses: NONE

Opening Statement by Sponsor:

{Tape: 1; Side: B; Approx. Time Counter: 18.2 - 23.5}

SENATOR ROYAL JOHNSON, SD 5, Billings, brought forward a resolution urging the Board of Directors of the Charles M. Bair Family Trust to keep the Charles M. Bair Family Museum open and

operational at its current location in the Bair family home in Martinsdale in Meagher County. He explained Alberta Bair established a trust for lands owned by her family and created a museum.

Proponents' Testimony:

{Tape: 1; Side: B; Approx. Time Counter: 23.7 - 29}

Arnie Olsen, Director, Montana Historical Society, conveyed his support for the resolution. **Mr. Olsen** spoke about Charles Bair's life, and stated it was the wish of the Bair family that the home would always be a museum open to the public.

Jamie Doggett, County Commissioner, Meagher County, conveyed the support of her agency for **SJR 27. Ms. Doggett** stated numerous meetings have been held in surrounding communities, and support for the resolution is strong.

SENATOR MIKE SPRAGUE, SD 6, expressed his support for the resolution.

Questions from Committee Members and Responses:

No questions were posed by Committee members on this resolution.

Closing by Sponsor:

{Tape: 2; Side: A; Approx. Time Counter: 0.3 - 2}

SEN. JOHNSON expressed his appreciation to the Committee.

EXECUTIVE ACTION ON SJR 27

{Tape: 2; Side: A; Approx. Time Counter: 2.6 - 3}

Motion/Vote: **SEN. SPRAGUE moved that SJR 27 DO PASS. Motion carried 9-0.**

HEARING ON SB 444

Sponsor: **SENATOR JON TESTER**

Proponents: **Cory Swanson, Coventry First**
Jill Gerdrum, State Auditor's Office

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **CHAIRMAN DEBBY BARRETT**, on March 19, 2003 at 9 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Debby Barrett, Chairman (R)
Rep. Dee Brown, Vice Chairman (R)
Rep. Larry Jent, Vice Chairman (D)
Rep. Norman Ballantyne (D)
Rep. Arlene Becker (D)
Rep. Sue Dickenson (D)
Rep. Carol Gibson (D)
Rep. Daniel S. Hurwitz (R)
Rep. Hal Jacobson (D)
Rep. Larry Lehman (R)
Rep. Ralph Lenhart (D)
Rep. Alan Olson (R)
Rep. Bernie Olson (R)
Rep. Don Roberts (R)
Rep. Clarice Schrumpf (R)
Rep. Frank Smith (D)
Rep. Pat Wagman (R)
Rep. Jonathan Windy Boy (D)
Rep. Cindy Younkin (R)

Members Excused: None.

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Branch
Joan Reiman, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: SJ's 23 & 27, SB's 204 & 445, 3/12/2003

Executive Action: SJ's 23 & 27, SB's 145, 149, 262, 445 - BE CONCURRED IN; HB 13 & SB 204 - NO ACTION

HEARING ON SB 204

Sponsor: SEN. MIKE TAYLOR, SD 37

Opening Statement by Sponsor:

SEN. TAYLOR said this extends term limits from eight to twelve years. Since the Legislature only meets every two years, that only allows for four sessions, but it takes a while to learn the process. He said when voters voted for term limits, they thought it was for national representatives, but the courts overturned national limits.

Proponents' Testimony:

Nancy Schlepp, Montana Farm Bureau Federation, said she also supported REP. LINDEEN'S bill, but would rather not have any limits.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

SEN. TAYLOR said he would need a House sponsor.
{Tape: 1; Side: A; Approx. Time Counter: 0 - 4.8}

HEARING ON SB 445

Sponsor: SEN. GREG BARKUS, SD 39

Opening Statement by Sponsor:

SEN. BARKUS said this repeals the transition section of the Districting and Apportionment Commission Plan which assigns holdover Senators to new districts; only one part is repealed.
{Tape: 1; Side: A; Approx. Time Counter: 4.8 - 7.2}

Proponents' Testimony: None

Opponents' Testimony:

Scott Crichton, Executive Director, Montana ACLU, said he is not convinced this will fix the whole process. The Constitution

serving who would be affected. She asked why no proponents testified on his two bills. He said as a freshmen, he did not ask anyone to. She asked if citizens have approached him to ask for this. He replied that significant testimony was given over HB 309 from legislators and citizens, and he considered all of that.

CHAIRMAN BARRETT noted that two days of hearings held by the Select Joint Committee took testimony from all sides. **REP. YOUNKIN** had a question as to where Big Sky was on his map. He did not recall that.
{Tape: 1; Side: A; Approx. Time Counter: 45 - 54}

Closing by Sponsor:

SEN. BARKUS admitted this is not a perfect science. It doesn't affect Native American districts; they support those districts.
{Tape: 1; Side: A; Approx. Time Counter: 54 - 57}

HEARING ON SJ 27

Sponsor: SEN. ROYAL JOHNSON, SD 5

Opening Statement by Sponsor:

SEN. JOHNSON said this resolution would ask the Trustees to keep the Bair Museum open in Martinsdale. It was funded by an endowment from the Bair family. Attendance has declined, and it is only open four or five months per year. The Russell Museum runs this on contract. It is the only tourist attraction in the county. They could possibly get spin-off tourist business from the Lewis and Clark Bicentennial.
{Tape: 1; Side: A; Approx. Time Counter: 57 - 66}
{Tape: 1; Side: B; Approx. Time Counter: 0 - 2.2}

Proponents' Testimony:

Arnie Olson, Montana Historical Society (MHS) Director, said it is important to keep the 26-room mansion and collection intact.

Jamie Doggett, Meagher County Commissioner, also Representing Wheatland County, said local public meetings showed huge support. She read a statement prepared by six commissioners from the two counties. The museum combines European culture with Montana history.

Bill Kennedy, Yellowstone County Commissioner, said, "Our kids don't understand the Montana history in our own back yard. This will give a boost to the Foundation Board to keep it alive." **Nancy Schlepp, Ringling,** said it is an emotional issue. The Bair family has donated major funding to hospitals, library and scholarships in the area.

REP. DAN HURWITZ, HD 40, said the Bairs put the money up for a long time.

REP. A. OLSON, HD 8, said it would be a tragedy to have the collection scattered. He urged advertising to promote it.

REP. DON ROBERTS, HD 10 said it was an eclectic blend of European antiques and western art.

Chere Giusto, Montana Preservation Alliance Executive Director, said the museum is a fabulous experience. There was fanfare when it opened five years ago. The trustees tried to honor the spirit of the Bair sisters, but attendance has declined to 5,000 per year, hardly enough to break even. Museums may not make money, but can serve as an anchor for other businesses which do. This resolution passed unanimously in the Senate, she said.
{Tape: 1; Side: B; Approx. Time Counter: 2.2 - 18.6}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REP. BROWN asked for the address of the Bair Family Trust, so that people could contact them. **SEN. JOHNSON** said the address is: Bair Family Trust, Mr. Jim Roscoe, Chair, c/0 US Bank, Third & 28th, P.O. Box 38678, Billings, Montana 59101.

She asked what could be done to promote it. He said MHS will look at it; they have brochures on their rack at the Museum. Travel Montana and local tourism regions also play a part.

REP. B. OLSON asked if sponsor had seen trust documents that spell out the agreement. Sponsor said when the contact was created, the family said they would try it for five years. Their Board said it was not economically feasible. It costs them $150,000/yr. to run it. Virginia City costs $400,000/yr. and the state pays for that. **REP. OLSON** asked if the trust document stated that the family wanted the museum to exist. Sponsor said no. **REP. OLSON** asked if there was correspondence that would stand up in court, showing what they wanted.

The sponsor deferred to **Ms. Dogget,** who said those documents are inside the Museum and can't be released to the public. **REP. YOUNKIN** told her trust law says they must meet their fiduciary responsibility as to the intentions of the Trustors. **Ms. Dogget** said the evidence exists, also testimony of local people; the Save the Bair citizen's group has retained an attorney. **REP. YOUNKIN** said litigation could possibly force the issue.

REP. HURWITZ asked **Ms. Doggett** if the Bair Company was not exempt from paying county tax. The Trust approached the county and the IRS, but tax-free status was only given to the 20 acres around the house. He asked about previous MSU programs of cattle and sheep ranching and forestry on the ranch. She said a local person said these programs are not going on now.

REP. WINDY BOY asked about the tax-free status. **Ms. Doggett** said the Foundation Trust suggested if they got that status, they would put that money back into the Trust, to be granted out to the library, museum and other programs. She doesn't know what would happen if the museum is closed. SEN. JOHNSON provided color brochures of the Museum.
EXHIBIT(sth58a01)
{Tape: 1; Side: B; Approx. Time Counter: 18.6 - 32}

Closing by Sponsor:

The Sponsor closed.

EXECUTIVE ACTION ON SJ 27

Motion/Vote: **REP. YOUNKIN moved SJ 27 BE CONCURRED IN. Motion carried 19-0. REP. A. OLSON voted by proxy.**

Discussion: **REP. BROWN** wanted the Bair Museum to be discussed on the Floor. **REP. HURWITZ** said he will carry it in the House.
{Tape: 1; Side: B; Approx. Time Counter: 32 - 54}

EXECUTIVE ACTION ON SB 445

Motion: **REP. ROBERTS moved that SB 445 BE CONCURRED IN.**

Discussion:

REP. GIBSON stated concern that both sides are maneuvering; giving this to the legislature would only make it more partisan.
REP. BECKER agreed and said the problem should be fixed with